

**ENTERED**

January 24, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION****IN RE:****THOMAS SAN MIGUEL, JR.  
and  
TIFFANY DAWN SAN MIGUEL,**

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**Debtors.****JOHN ABUAN  
and  
CONSTANCE ABUAN  
and  
STEVE STRICKLAND  
and  
JAMES TOLBERT  
and  
SRINI KATTA  
and  
JENNIFER CAMERON  
and  
WILLIAM M HOWARD  
and  
VIRGINIA HOWARD  
and  
JERI BLAKE  
and  
RON TUCKER  
and  
SOFIA RUAS  
and  
GUISEPPI LIBERATI  
and  
RON KRAJENKE  
and  
BART VOSSEN  
and  
DONALD NELMS  
and  
MADELINE LOPERENA  
and  
JOE HOSTETLER  
and****CASE NO: 22-32820****CHAPTER 7****ADVERSARY NO. 22-3310**

LEE LU  
and  
FEI LIU,

Plaintiffs,

VS.

THOMAS SAN MIGUEL, JR.,

Defendant.

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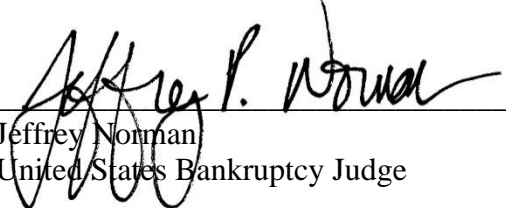
**ORDER DISMISSING CASE AND CANCELING STATUS CONFERENCE**

This Court entered an order on January 3, 2023, requiring plaintiffs to effectuate service on the defendant on or before January 23, 2023, pursuant to Federal Rule of Civil Procedure 4(m).<sup>1</sup> The clerk issued summons on Thomas San Miguel on January 5, 2023.<sup>2</sup> However, the plaintiffs have failed to execute the summons as ordered.<sup>3</sup> Therefore, this case is dismissed.

**ACCORDINGLY, IT IS ORDERED** that the status conference scheduled for January 25, 2023, is canceled.

**IT IS FURTHER ORDERED** that this adversary is dismissed.

SIGNED 01/24/2023

  
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Jeffrey Norman  
United States Bankruptcy Judge

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<sup>1</sup> FRCP 4(m) requires “Time Limit for Service. If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—**must** dismiss the action without prejudice against that defendant or order that service be made within a specified time.” The 90 days after filing the complaint has expired and the Court had already previously ordered service on January 3, 2023.

<sup>2</sup> ECF No. 6

<sup>3</sup> There is no return of service on CM/ECF.